

**REMARKS**

Claims 58-114 are currently pending.

In the Office Action, the Examiner requires that the claims be restricted to one of the following five groups under PCT Rule 13.1:

- I. Claim 69, drawn to glycidyl esters of an  $\alpha$ -branched carboxylic acid containing from 6 to 22 carbon atoms utilized as an elongational-viscosity-reducing additive,
- II. Claims 70-75, drawn to polyolefin waxes utilized as an elongational-viscosity-reducing additive,
- III. Claim 76-84, drawn to copolymers of ethylene with at least one aliphatic  $\alpha$ -olefin, and, optionally, a polyene utilized as an elongational-viscosity-reducing additive,
- IV. Claims 85-90, drawn to thermoplastic polymers having a main hydrocarbon chain to which hydrophilic groups are linked utilized as an elongational-viscosity-reducing additive, and
- V. Claims 91-95, drawn to fatty acid esters derived from at least one saturated or unsaturated fatty acid having from 8 to 24 carbon atoms and at least one polyhydric alcohol having from 2 to 6 carbon atoms utilized as an elongational-viscosity-reducing additive.

See Feb. 11, 2008, Office Action at 2.

Applicants respectfully traverse the restriction requirement. However, to be fully responsive, Applicants elect the subject matter of Group I, comprising claim 69. Applicants reserve the right to pursue the unelected subject matter in continuation and/or divisional applications.

The Examiner asserts that the inventions "listed as Groups I-V do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following

reasons: All of the above five groups are recognizably different compositions and therefore lack a common inventive feature.” *Id.* at 3 (citing U.S. Patent No. 6,472,884).

Applicants do not necessarily agree with the Examiner’s characterization of U.S. Patent No. 6,472,884 and the claimed invention.

Further, Applicants submit that the Examiner has not established a proper basis for the Restriction Requirement. Applicants respectfully refer the Examiner to M.P.E.P. § 803, which sets forth the criteria and guidelines for Examiners to follow in making proper requirements for restriction. The M.P.E.P. instructs the Examiner as follows:

If the search and examination of all the claims in an application can be made **without serious burden**, the examiner **must** examine them on the merits, even though they include claims to independent or distinct inventions.

M.P.E.P. § 803 (emphasis added).

Here, the Examiner has not shown that examining Groups I-V together would constitute a serious burden. The Examiner does not specify what serious burden will be placed on the Examiner if the Examiner were to proceed in examining Groups I-V together, as required by M.P.E.P. § 803.

Finally, Applicants note that the Examiner identifies claims 58-68 and 96-114 as linking claims. See Feb. 11, 2008, Office Action at 3. Thus, under M.P.E.P. § 809, the Examiner must examine elected Group I (claim 69) together with linking claims 58-68 and 96-114. Further, if the Examiner finds elected claim 69 and at least one linking claim allowable, the restriction requirement should be withdrawn between the linked inventions. The Examiner makes specific reference to linking claim 68 (see Feb. 11, 2008, Office Action at 3), however, Applicants respectfully remind the Examiner that the

allowance of any linking claim must result in rejoinder of the non-elected subject matter.

See M.P.E.P. § 809.


If there is any fee due in connection with the filing of this Statement, please  
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

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By: \_\_\_\_\_

  
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